REMARKS

Claims 1-27 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Section 102(e) Rejection:

The Examiner rejected claims 1-27 under 35 U.S.C. § 102(e) as being anticipated by Mangipudi et al. (U.S. Patent 6,728,748) (hereinafter "Mangipudi"). Applicant respectfully traverses this rejection for at least the reasons below.

Regarding claim 1, contrary to the Examiner's assertion, Mangipudi fails to disclose *propagating* the quality of service context with the request in the server system. The Examiner cites column 10, lines 25-31. However, the cited passage makes no mention of propagating the quality of service context with the request. Instead, the cited passages only teaches that a load balancing algorithm is used to determine a specific back-end server and that the request will be load balanced to that particular back-end server. Thus, Mangipudi only teaches that a class of service is defined for an incoming request and based on that class of service, the request will be forwarded to a particular server machine (Mangipudi, column 5, lines 36-43; column 6, lines 9-10; column 7, lines 60-64; column 7, line 67- column 8, line 5). Mangipudi does not mention anything regarding propagating a quality of service context with the request in the server system. Instead, as noted above, Mangipudi merely teaches forwarding a request to a particular server (or server cluster) based on a class of service. No quality of service context travels with the request in Mangipudi's server system

Applicants remind the Examiner that anticipation requires the presence in a single prior art reference disclosure of each and every limitation of the claimed invention, arranged as in the claim. M.P.E.P 2131; *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor*

Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). As discussed above, Mangipudi clearly fails to disclose propagating the quality of service context with the request in the server system. Therefore, Mangipudi cannot be said to anticipate claim 1.

For at least the reasons above, the rejection of claim 1 is not supported by the cited art and removal thereof is respectfully requested. Similar remarks apply to claims 10 and 19 as well.

Regarding claim 6, Mangipudi fails to disclose <u>propagating the same quality of service context</u> with a subsequent request related to the request. The Examiner cites column 11, lines 38-41 where Mangipudi describes that since, the load-balancing algorithms of Mangipudi's system are "session aware" subsequent requests from the same client "will be routed to the same back-end server." The cited passage does not, however, mention anything about *propagating the same quality of service context with a subsequent request.* Merely routing a subsequent request to the same server machine does not imply <u>propagating</u> the same <u>quality of service context</u> with a subsequent request. Moreover, as shown above regarding claim 1, Mangipudi does not propagate quality of service contexts with requests at all, whether original or subsequent requests.

Thus, the rejection of claim 6 is not supported by the cited art and removal thereof is respectfully requested. Similar remarks also apply to claims 15 and 25.

Regarding claim 7, Mangipudi fails to disclose inserting the quality of service context adjacent to at least one of a security and transaction context. The Examiner cites column 10, lines 21-25. However, the cited passage makes absolutely no mention of inserting a quality of service context adjacent to at least one of a security and transaction context. Instead, the cited passage only states that classification of traffic based on Mangipudi's techniques allows for differentiation of service and prioritization of revenue generating transactions versus non-revenue generating transactions. Mangipudi does not

teach anything regarding inserting a quality of service context adjacent to at least one of a security and transaction context. Thus, the rejection of claim 7 is not supported by the cited art and removal thereof is respectfully requested. Similar remark apply to claims 16 and 25.

Applicant also asserts that numerous other ones of the dependent claims recite further distinctions over the cited art. However, since the rejection has been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time.
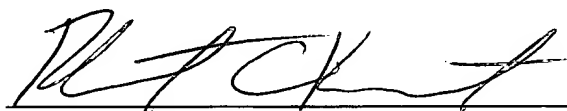
CONCLUSION

Applicant submits the application is in condition for allowance, and prompt notice to that effect is respectfully requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above-referenced application from becoming abandoned, Applicant hereby petitions for such an extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-90800/RCK.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

☐ Petition for Extension of Time

☐ Notice of Change of Address

☐ Other:

Respectfully submitted,

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Reg. No. 39,255
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